

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Adam Chasteen, :  
 :  
Plaintiff, :  
 :  
v. : Case No. 2:14-cv-1690  
 :  
 : JUDGE ALGENON L. MARBLEY  
Gary Mohr, et al., : Magistrate Judge Kemp  
 :  
Defendants. :

ORDER

Defendants have moved to stay the dispositive motion deadline. As further explained below, the motion sets forth good cause for a stay and the motion (Doc. 21) is therefore granted.

The basis for the stay is plaintiff's failure to respond to the state of Ohio's motion to dismiss certain defendants for insufficient service of process (Doc. 19). As explained in that motion, plaintiff has not perfected service on Rod Johnson, Officer Melott, Mr. Wilson and the six John Doe Defendants.

A review of the Court's docket indicates that the complaint in this action was filed in this Court on October 1, 2014. There is no record that service has been made upon the defendants identified in the motion to dismiss for insufficient service of process. At the time plaintiff filed his complaint, Federal Rule of Civil Procedure 4(m) provided in relevant part:

If a defendant is not served within 120 days after the complaint is filed, the court - on motion or on its own after notice to the plaintiff - must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Consequently, the Court ORDERS plaintiff to show good cause

within fourteen days of the date of this Order why these defendants should not be dismissed and why an extension of time to effect service should be allowed. The good cause showing must be supported with sworn affidavits.

IT IS SO ORDERED.

/s/ Terence P. Kemp  
United States Magistrate Judge